



James K. Smith
Executive Director-
Federal Regulatory

SBC Services, Inc.
1401 I Street, NW
Suite 1100
Washington, D.C. 20005

202-326-8883 Phone
202-408-4801 Facsimile

April 26, 2005

VIA ELECTRONIC SUBMISSION

Ms. Marlene H. Dortch
Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Notice of Ex Parte Statement
WC Docket No. 04-36

Dear Ms. Dortch:

Pursuant to staff request, SBC Services, Inc (SBC) is filing the attached series of correspondence between SBC and Vonage Holdings Corp. (Vonage) regarding VOIP/911 for inclusion in the record of the above referenced proceeding.

Pursuant to Section 1.1206 of the Commission's Rules, this letter is being electronically filed with the Commission.

Please contact the undersigned at (202) 326-8883 should you have any questions.

Sincerely,

/s/ James K. Smith

Attachment

cc (via electronic mail)
Julie Veach
Christi Shewman



Jeffrey Citron
Chief Executive Officer

February 18, 2005

Mr. Edward E. Whitacre, Jr.
Chairman and CEO
SBC Communications, Inc.
175 E. Houston
San Antonio, TX 78205-2233

Dear Mr. Whitacre:

As the Chairman and CEO of Vonage Holding's Corp ("Vonage"),¹ I write to enlist SBC Communications, Inc.'s ("SBC") assistance in fundamentally improving consumer access to enhanced emergency service capabilities ("E-911"). SBC's demonstrated *commitment to safeguarding the public illustrates the concern we share in making E-911 functionality as widely available as possible.* Currently, however, limitations within the emergency services network architecture make it impossible to pass a Voice over Internet Protocol ("VoIP") customer's emergency service call through SBC's selective routers to the appropriate Public Safety Answering Point ("PSAP"). These problems are not insurmountable. Secure, reliable technical solutions are readily available and can be rapidly installed as demonstrated by Vonage's fully deployed E-911 solution in Rhode Island. Accordingly, as the primary provider of E-911 access to PSAPs in thirteen states, I am personally requesting SBC's assistance in working with Vonage to establish capabilities that will make E-911 services available to all VoIP subscribers on a non-discriminatory basis.

Vonage's recent experience in Rhode Island shows that the communications industry can work with state officials to protect the public. Our success in Rhode Island makes clear how quickly a VoIP E-911 solution can be deployed when parties work cooperatively and expeditiously toward this common goal. In Rhode Island, for example, Vonage is now able to directly deliver E-911 calls natively over the dedicated emergency communications network to the PSAP call-takers. All calls contain both the VoIP caller's location as well as their call back number. This process took only eight weeks to complete from start to finish. Vonage is particularly encouraged by its experience in Rhode Island and by the potential to rapidly improve upon the delivery of emergency services. Furthermore, a native IP emergency services network will provide even more data to first responders vastly improving the quality of emergency services communications in the United States. The Rhode Island example also underscores how innovation and cooperation can challenge traditional notions that direct regulation or federal oversight is otherwise necessary to achieve such ends.

¹ Vonage is the leading provider of voice over Internet protocol ("VoIP") services within the United States. With more than 400,000 users in North America, Vonage is committed to ensuring that all consumers obtain equivalent access to emergency service capabilities - irrespective of the communications technology they use.

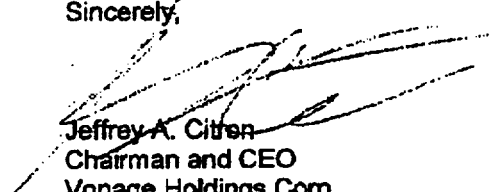


Mr. Edward E. Whitacre, Jr.
February 18, 2005
Page 2

While Vonage supports long term efforts to develop and deploy next generation IP enabled E-911 systems, it is critical to take the necessary steps and trial interim solutions now. Accordingly, by this letter, I ask for your cooperation in launching an effort to test and deploy a joint VoIP E-911 solution within the next 30 to 60 days.² We cannot resolve fundamental issues associated with providing a native E-911 service to VoIP users without your assistance. Toward that end, we ask that you provide us with the appropriate contacts so that we may jointly implement an E-911 solution for VoIP users as rapidly as possible.

I look forward to hearing from you and working together on this critical endeavor in the very near future.

Sincerely,



Jeffrey A. Citron
Chairman and CEO
Vonage Holdings Corp.

cc:
Michael K. Powell, Chairman, FCC
Kathleen Q. Abernathy, FCC Commissioner
Michael J. Copps, FCC Commissioner
Kevin J. Martin, FCC Commissioner
Jonathan S. Adelstein, FCC Commissioner
Gregory S. Ballentine, President, APCO International
The Honorable Hillary Rodham Clinton
The Honorable John Shimkus
The Honorable Anna Eshoo
The Honorable Conrad Burns
The Honorable Kay Bailey Hutchinson
The Honorable Barbara Boxer
The Honorable Peter G. Fitzgerald
The Honorable Joe Barton
The Honorable John D. Dingell

² Specifically, in order to provide an E-911 solution to VoIP customers, we will need access to E-911 elements that would allow our customers to call E-911 from nomadic devices. This would require tandem interconnection into the selective router and access to all the Automatic Location Information ("ALI") databases. Due to the portable nature of VoIP services, our E-911 technical solution leverages elements from both the wireline and wireless E-911 networks.



Christopher T. Rice
Executive Vice President
Network Planning and Eng.

SBC Services, Inc.
175 E. Houston
Room 1262
San Antonio, TX 78205

210.351.4400 Phone
210.351.3661 Fax

March 25, 2005

Mr. Jeffrey A. Citron
Chairman & CEO
Vonage Holdings Corp.
2147 Route 27
Edison, NJ 08817

Re: E-911 Emergency Services

Dear Mr. Citron,

This is in response to your letter received in Mr. Whitacre's office on February 28, 2005, regarding VoIP E-911 emergency service. SBC would welcome the opportunity to have its 911 experts meet with Vonage to explain SBC's current 911 offerings and to discuss with you our future plans in this area. SBC has been providing dependable, high-quality 911 capabilities for decades. SBC is fully committed to developing the means of providing these same capabilities over IP-enabled platforms, to ensure the safety and well being of its customers and the communities it serves.

We cannot agree, however, to participate in a separate, proprietary trial with Vonage, which is just one of many companies that provide, or will in the near future provide, voice over Internet protocol services. SBC, and other industry participants, have already expended considerable resources in attempting to develop an industry-wide solution in this area. SBC cannot agree to engage in numerous individual tests with each and every VoIP service provider. SBC does not believe that proprietary VoIP 911 trials will result in an optimal industry-wide solution. Indeed, Vonage, itself, has recognized the critical importance of "allow[ing] the VoIP industry the opportunity to develop industry standards to effectuate 911/E911 service" and has argued to the FCC that giving "the industry this time and flexibility will ensure that the system developed is the best one possible and most viable for long-term changes of the Nation's network infrastructure." Vonage Comments at 38, WC Docket No. 04-36 (FCC May, 28, 2004). SBC agrees with this view, and each company's pursuit of its own, proprietary solution is clearly not the way to develop the best system possible or the one most flexible to respond to long-term changes in the IP infrastructure.

Moreover, proprietary trials are expensive, can be disruptive to operations, can be demanding on limited resources, and have the potential to interfere with the development of national standards. SBC is committed, instead, to finding a solution that will ensure that it can consistently and effectively accommodate VoIP technologies across its region by delivering accurate ANI and ALI information to the correct PSAP, regardless of which VoIP provider the customer uses.

As with most new technologies, finding solutions to conventional challenges using new technologies requires research, industry cooperation, and the development of comprehensive standards. In the particular case of VoIP, the solutions for providing reliable and cost-effective 911 services are not easy given the nature of IP technology. The unique features and capabilities that make VoIP a flexible and (perhaps of greatest significance) a portable service also make it hard to emulate traditional 911 service capabilities. Nonetheless, SBC is working diligently on its own, and with industry groups and other companies to develop 911 solutions and standards that will work effectively for all stakeholders.

For example, SBC is working collaboratively with Telcordia and other carriers to develop standard interfaces for IP-based voice providers to accurately deliver 911 calls to the appropriate PSAPs, regardless of the particular IP-based technology employed. Within the past few months, Telcordia has issued generic requirements for some of the major components of the "i2" architecture. Industry groups have the opportunity to comment on these specifications and on others that will follow.

In addition, SBC will continue to take an active role in the development and acceptance of industry interface standards. SBC is actively engaged with the Alliance for Telecommunication Solutions (ATIS), the Emergency Services Interconnection Forum (ESIF) and the National Number Emergency Association (NENA) to ensure the adoption of national standards. In fact, this week, NENA will be holding its 11th Annual Technical Development Conference in San Jose, California, and the future design of E-911 will be a main topic for discussion. SBC remains committed to the establishment and acceptance of national standards on 911 emergency services, and it will continue to participate in national trials that test the implementation of these national standards.

SBC welcomes Vonage's input into these industry-wide processes and encourages Vonage to join in these collaborative efforts rather than to focus on its own, proprietary solutions. SBC would be happy to help facilitate Vonage's joining these various activities and groups.

In the meantime, SBC has a 911 solution available to VoIP providers today whose customers reside in a single registered location. SBC is also working on a product called Switched IP Service which makes 911 features available. We still have some work to do before the product is ready for deployment. If you wish to discuss these products, please contact us.

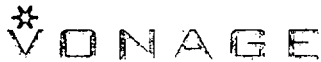
Once again, we would like to encourage Vonage to meet with us to discuss our current 911 offer and our plans for further development. SBC continues to believe that working towards an industry-wide solution would be the most productive use of our collective resources, and Vonage's active participation in these forums could prove extremely helpful.

Sincerely,



Christopher T. Rice
Executive Vice President
Network Planning & Engineering

cc: Kevin J. Martin, Chairman, FCC
Kathleen Q. Abernathy, FCC Commissioner
Michael J. Copps, FCC Commissioner
Jonathan S. Adelstein, FCC Commissioner
Gregory S. Ballentine, President, APCO International
The Honorable Hillary Rodham Clinton
The Honorable John Shimkus
The Honorable Anna Eshoo
The Honorable Conrad Burns
The Honorable Kay Bailey Hutchison
The Honorable Barbara Boxer
The Honorable Joe Barton
The Honorable John D. Dingell



Jeffrey Ginn
Chief Executive Officer

March 28, 2005

Mr. Christopher T. Rice
Executive Vice President
Network Planning and Engineering
SBC Services, Inc.
175 E. Houston
San Antonio, TX 78205

Dear Mr. Rice:

Thank you for your response dated March 25, 2005, to my letter of February 28, 2005. I write to express my concern and disappointment at SBC's refusal to work directly with Vonage in deploying a joint 9-1-1 solution in the next 30 to 90 days.

Vonage is the largest provider of VoIP services in the United States. By rejecting Vonage's offer, SBC effectively chooses to deny an opportunity to immediately improve 9-1-1 capabilities to hundreds of thousands of customers in its service territory. While our companies may be competitors, the public welfare demands that we work cooperatively on matters of public safety. It is not enough for SBC to point to the efforts of industry bodies in an effort to absolve itself of the responsibility to deploy technology and solutions that are readily available today. As the gatekeeper of the emergency services network throughout SBC's service area, SBC holds a special obligation to embrace solutions that will protect the public safety. Therefore, Vonage renews its request to jointly test and deploy a VoIP 911 solution as soon as possible.

I appreciate that SBC is working with the industry and the relevant industry bodies to develop an E911 solution for Voice over Internet Protocol ("VoIP") services. Vonage has also been a part of these processes and supports the work under development. However, deploying a VoIP E911 solution as rapidly as possible is a public safety imperative that requires immediate attention.

As detailed in my letter of February 28, 2005, Vonage has demonstrated that a VoIP E911 solution can be implemented in a short period of time. Vonage and other parties have already deployed a VoIP E911 solution in Rhode Island. Rhode Island VoIP consumers are not placed outside of the emergency services network. To date, there have been no issues with the technology nor the solution deployed. We have also successfully tested a similar solution with great success in Qwest's King County territory. In your letter, you cite to Vonage comments filed in the *IP Enabled Services* proceeding concerning Vonage's support for the principle of allowing the VoIP industry to develop industry standards and to make the emergency services network the best one possible, industry cooperation between Vonage and SBC to get a solution up and running would be an important and significant step toward that end. Industry cooperation between two parties should not be mistaken for supporting inaction when there are viable solutions that are available today.



Mr. Christopher T. Rice
March 28, 2005
Page 2

We look forward to a timely response to our renewed request.

Sincerely,

Jeffrey A. Citron
Chairman and CEO
Vonage Holdings Corp.

cc:

Kevin J. Martin, Chairman, FCC
Kathleen Q. Abernathy, FCC Commissioner
Michael J. Copps, FCC Commissioner
Jonathan S. Adelstein, FCC Commissioner
Gregory S. Ballentine, President, APCO International
The Honorable Hillary Rodham Clinton
The Honorable John Shimkus
The Honorable Anna Eshoo
The Honorable Conrad Burns
The Honorable Kay Bailey Hutchison
The Honorable Barbara Boxer
The Honorable Joe Barton
The Honorable John D. Dingell
The Honorable Ted Stevens
The Honorable Daniel K. Inouye
The Honorable Arlen Specter
The Honorable Patrick J. Leahy
The Honorable Mike DeWine
The Honorable Herb Kohl
The Honorable Charles W. Pickering, Jr.
The Honorable Fred Upton
The Honorable Edward J. Markey
The Honorable Cliff Stearns
The Honorable Jim Sensenbrenner, Jr.
The Honorable John Conyers, Jr.
The Honorable Mike Ferguson
The Honorable Frank R. Lautenberg
The Honorable Jon S. Corzine



Christopher T. Rice
Executive Vice President
Network Planning and Eng.

SBC Services, Inc.
175 E. Houston
Room 1262
San Antonio, TX 78205

210.351.4400 Phone
210.351.3661 Fax

April 1, 2005

Mr. Jeffrey A. Citron
Chairman & CEO
Vonage Holdings Corp.
2147 Route 27
Edison, NJ 08817

Re: E-911 Emergency Services

Dear Mr. Citron:

I received your March 28, 2005 response to my March 25, 2005 letter. As I stated in my prior letter, SBC continues to be interested in meeting with Vonage to discuss 911 solutions that are based on existing technology and systems. Nonetheless, while we disfavor proprietary, non-standard solutions, I believe it would be productive for our two companies to meet and discuss each company's proposed solution.

Your suggestion that SBC is in some way the "gatekeeper" of the emergency services network is inaccurate. SBC is in many instances merely the vendor of the emergency services network and databases. Use of the emergency services networks ultimately rests with the public safety officials for whom they were developed. It should go without saying that no solution can be implemented without the cooperation of those public safety organizations.

If you are interested in setting up a meeting along the lines proposed above, please contact my office.

Sincerely,

A handwritten signature in black ink, reading "Christopher T. Rice", written in a cursive style.

cc: Kevin J. Martin, Chairman, FCC
Kathleen Q. Abernathy, FCC Commissioner
Michael J. Copps, FCC Commissioner
Jonathan S. Adelstein, FCC Commissioner
Gregory S. Ballentine, President, APCO International
The Honorable Hillary Rodham Clinton
The Honorable John Shimkus
The Honorable Anna Eshoo
The Honorable Conrad Burns
The Honorable Kay Bailey Hutchison
The Honorable Barbara Boxer
The Honorable Joe Barton
The Honorable John D. Dingell
The Honorable Ted Stevens
The Honorable Daniel K. Inouye
The Honorable Arlen Specter
The Honorable Patrick J. Leahy
The Honorable Mike DeWine
The Honorable Herb Kohl
The Honorable Charles W. Pickering, Jr.
The Honorable Fred Upton
The Honorable Edward J. Markey
The Honorable Cliff Stearns
The Honorable Jim Sensenbrenner, Jr.
The Honorable John Conyers, Jr.
The Honorable Mike Ferguson
The Honorable Frank R. Lautenberg
The Honorable Jon S. Corzine



Jeffrey Citron
Chief Executive Officer

April 14, 2005

Mr. Edward E. Whitacre, Jr.
Chairman and CEO
SBC Communications, Inc.
175 E. Houston
San Antonio, TX 78205

Dear Mr. Whitacre:

I write to again enlist your company's cooperation in providing Vonage and other VoIP providers with the ability to make enhanced 911 calling capabilities available to VoIP end-users. In particular, I wish to make you aware of our recent agreement with Qwest under which Vonage will lease trunks providing it a direct connection to the 911 selective routers operated by Qwest, and to ask you to provide us with similar connections. The proposed implementation with Qwest is I2 compliant – the proposed NENA standard for VoIP enhanced 911 call delivery. This enhanced 911 solution that we are implementing with Qwest is I2 compliant – the proposed NENA standard for E911. Qwest's recent announcement that it will lease 911 interconnection trunks to Vonage – even though Vonage is not a state-certificated telecommunications provider – demonstrates that there is no technical obstacle to implementing a better 911 solution for hundreds of thousands, if not millions, of VoIP users.

As you may know, Vonage provides its customers with emergency calling capabilities today, but not the same service that is available to the vast majority of POTS users and most mobile phone users. In order to provide a wider range of 911 capabilities, Vonage requires a direct connection with the selective router that distributes 911 calls to the appropriate public safety answering point. Vonage is capable of delivering the necessary ALI and ANI data required to route emergency calls.

Although all four RBOCs have stated that they are willing to "work with" VoIP providers to help develop VoIP 911 calling solutions, thus far only Qwest is beginning the ordering and provisioning process necessary to provide Vonage direct access to its 911 infrastructure. Let me emphasize that Qwest is providing Vonage with the same types of trunks and the same connections to the selective router that CLECs and wireless carriers already use. Vonage is not asking your company to provide us anything new, or anything different from what you already do in your networks. I also emphasize that Vonage will be paying Qwest for the use of its facilities.

I recognize that this is an interim solution and that there remains some continued regulatory uncertainty about certain aspects of VoIP services. Notwithstanding, VoIP is no longer a pie-in-the sky dream. Millions of American consumers use VoIP, and as business leaders we simply cannot wait for government regulators to resolve this issue for us – especially when lives are at stake. It should go without saying that improved 911 access is necessary to ensure the health and safety of all callers who require the ability to access emergency services, regardless of the technology that they use. Neither should you let the technical characteristics of VoIP 911 calling, and the evolution of such calls, preclude us from turning up a solution that works today for our customers. We cannot let the perfect be the enemy of the good.



Mr. Edward E. Whitacre, Jr.
April 14, 2005
Page 2

Please, therefore, consider this letter a formal request from Vonage Holdings Corp. to lease 911 interconnection trunks from your company's operating affiliates throughout the country and provide me with the name and telephone number of the person at your company with whom Vonage can place orders for 911 interconnection trunks.

Sincerely,



Jeffrey A. Citron

cc:

Chris Rice, EVP of Network Planning & Engineering, SBC
Kevin J. Martin, Chairman, FCC
Kathleen Q. Abernathy, FCC Commissioner
Michael J. Copps, FCC Commissioner
Jonathan S. Adelstein, FCC Commissioner
Gregory S. Ballentine, President, APCO International
The Honorable Hillary Rodham Clinton
The Honorable John Shimkus
The Honorable Anna Eshoo
The Honorable Conrad Burns
The Honorable Kay Bailey Hutchinson
The Honorable Barbara Boxer
The Honorable Peter G. Fitzgerald
The Honorable Joe Barton
The Honorable John D. Dingell



Christopher T. Rice
Executive Vice President
Network Planning and Eng.

SBC Services, Inc.
175 E. Houston
Room 1262
San Antonio, TX 78205

210.351.4400 Phone
210.351.3661 Fax

April 18, 2005

Mr. Jeffrey A. Citron
Chairman & CEO
Vonage Holdings Corp.
2147 Route 27
Edison, NJ 08817

Re: E-911 Emergency Services

Dear Mr. Citron:

Your letter dated April 14, 2005 was forwarded to me for response. Since my last letter to you, I have personally met twice with senior Vonage management knowledgeable about the 911 issues. The discussion included both connectivity to the selective routers and access to the 911 databases. I found these discussions to be very constructive. I believe these meetings were productive in helping Vonage understand the services that currently are available to meet Vonage's emergency service needs and to help SBC better understand the development efforts that Vonage is asking SBC to undertake.

For direct connection to the 102 selective routers in SBC's service area, SBC currently offers tariffed services, including the TIPToP service and the private switch 911 service. The TIPToP product enables the same types of trunks and the same connections to the selective routers that are available to CLECs today. Access to the 911 Databases is available to all TIPToP customers in an ancillary services agreement, which terms are substantially the same as offered to CLECs. Since Vonage has expressed concern the TIPToP tariff provides more functionality than Vonage requires, we have offered to negotiate commercial agreements for direct connection to the selective routers and the 911 database comparable to that which is provided to CLECs.

As a result of our discussions, SBC has agreed to do a technical, economic and regulatory assessment of additional options. In your letter, you suggest that Vonage is not asking SBC to provide anything new. However, from our discussions, it is apparent that while the requested functionality has some similarities to what is available to wireless carriers, it is not the same. SBC intends to assess your request expeditiously.

To assist SBC in evaluating your request, we have asked your team to provide details of the functionalities that Vonage requires that are not available from the CLECs with which Vonage currently does business. Since SBC offers all the

necessary 911 functionalities to CLECs, including the CLECs with which we understand Vonage has connectivity, this information is essential to assist SBC in evaluating any 911 database interface functionalities that Vonage may be currently lacking. Please let us know when we can expect to receive this information so that we can continue to advance this important initiative on an industry-wide basis.

Of course, irrespective of any action SBC takes to make a new or existing interface available for live customer traffic, Vonage will have to reach an agreement with each of the Public Safety entities for delivery of the 911 calls.

If you have any questions or suggestions, I encourage you to contact me directly.

Sincerely,

A handwritten signature in black ink that reads "Christopher T. Rice". The signature is fluid and cursive, with the first name "Christopher" being more prominent than the last name "Rice".

Christopher T. Rice
Executive Vice President
Network Planning & Engineering

cc: Kevin J. Martin, Chairman, FCC
Kathleen Q. Abernathy, FCC Commissioner
Michael J. Copps, FCC Commissioner
Jonathan S. Adelstein, FCC Commissioner
Gregory S. Ballentine, President, APCO International
The Honorable Hillary Rodham Clinton
The Honorable John Shimkus
The Honorable Anna Eshoo
The Honorable Conrad Burns
The Honorable Kay Bailey Hutchison
The Honorable Barbara Boxer
The Honorable Joe Barton
The Honorable John D. Dingell